

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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KARL W. SCHENKER,

Case No. 3:14-cv-00057-MMD-WGC

Plaintiff,

ORDER

v.

JAMES COX,

Defendants.

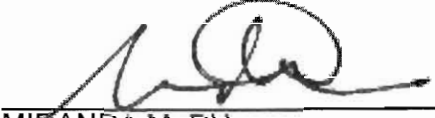
The Court directed plaintiff either to pay \$345, the unpaid balance of the filing fee of \$350, or to file an application to proceed *in forma pauperis*. Order (dkt. no. 8). Plaintiff has submitted an opposition or motion for reconsideration (dkt. no. 9). He argues that this is not a civil rights action pursuant to 42 U.S.C. § 1983. The argument is irrelevant. The filing fee in any civil action is \$350, with the exception of a petition for a writ of habeas corpus. 28 U.S.C. § 1914(a). Because this action is not a habeas corpus petition, the filing fee is \$350.

Plaintiff also has submitted a voluntary motion to dismiss (dkt. no. 10), which the Court grants.

It is therefore ordered that plaintiff's opposition or motion for reconsideration (dkt. no. 9) is denied.

1 It is further ordered that plaintiff's voluntary motion to dismiss (dkt. no. 10) is
2 granted. This action is dismissed without prejudice. The Clerk of the Court shall enter
3 judgment accordingly.

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5 DATED THIS 2nd day of April 2014.

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7 MIRANDA M. DU
8 UNITED STATES DISTRICT JUDGE
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